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F.#2013R01154

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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2014 SEP 29 PM 2:30

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

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UNITED STATES OF AMERICA

SUPERSEDING
INDICTMENT

- against -

JORGE ESTRADA-TEPAL,
RICARDO ESTRADA-TEPAL and
VICTOR LEONEL ESTRADA-TEPAL,
also known as "Leonel,"

Defendants.

Cr. No. 14-105 (S-1) (MKB)
(T. 8, U.S.C.,
§§ 1324(a)(1)(A)(ii),
1324(a)(1)(A)(v)(I),
1324(a)(1)(A)(v)(II),
1324(a)(1)(B)(i),
1324(a)(1)(B)(ii) and
1324(b); T. 18, U.S.C., §§ 371,
982(a)(6), 1546(a), 1591(a)(1),
1591(a)(2), 1591(b)(1), 1594(c),
1594(d), 1952(a)(3)(A), 2421,
2 and 3551 et seq.; T. 21, U.S.C.,
§ 853(p); T. 28, U.S.C., § 2461(c))

----- X

THE GRAND JURY CHARGES:

COUNT ONE
(Sex Trafficking Conspiracy)

1. In or about and between 2007 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as "Leonel," together with others, did knowingly and intentionally conspire to recruit, entice, harbor, transport, provide, obtain and maintain by any means one or more persons, in and affecting interstate and foreign commerce, and to

benefit, financially and by receiving things of value, from participation in a venture that engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, as described in Title 18, United States Code, Section 1591(e)(2), and a combination of such means would be used to cause such persons to engage in one or more commercial sex acts, contrary to Title 18, United States Code, Sections 1591(a)(1) and 1591(a)(2).

(Title 18, United States Code, Sections 1594(c) and 3551 et seq.)

COUNT TWO
(Sex Trafficking – Jane Doe #1)

2. In or about and between 2007 and 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe #1, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and benefit, financially and by receiving things of value, from participation in a venture that engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, as described in Title 18, United States Code, Section 1591(e)(2), and a combination of such means would be used to cause Jane Doe #1 to engage in

one or more commercial sex acts, which offense was effected by such means of force, threats of force, fraud, coercion and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT THREE
(Sex Trafficking – Jane Doe #2)

3. In or about and between July 2011 and October 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe #2, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and benefit, financially and by receiving things of value, from participation in a venture that engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, as described in Title 18, United States Code, Section 1591(e)(2), and a combination of such means would be used to cause Jane Doe #2 to engage in one or more commercial sex acts, which offense was effected by such means of force, threats of force, fraud, coercion and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT FOUR
(Sex Trafficking – Jane Doe #3)

4. In or about and between April 2013 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RICARDO ESTRADA-TEPAL, together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe #3, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and benefit, financially and by receiving things of value, from participation in a venture that engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, as described in Title 18, United States Code, Section 1591(e)(2), and a combination of such means would be used to cause Jane Doe #3 to engage in one or more commercial sex acts, which offense was effected by such means of force, threats of force, fraud, coercion and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT FIVE
(Conspiracy to Transport Persons to Engage in Prostitution)

5. In or about and between 2007 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, did knowingly and intentionally conspire to transport one or more individuals in interstate and foreign

commerce, with intent that such individual or individuals engage in prostitution, contrary to Title 18, United States Code, Section 2421.

6. In furtherance of the conspiracy, and to effect its objectives, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, committed and caused to be committed, among others, the following:

OVERT ACTS

a. In or about and between 2007 and 2008, both dates being approximate and inclusive, defendant JORGE ESTRADA-TEPAL crossed the border between Mexico and the United States with Jane Doe #1.

b. In or about 2009, defendants JORGE ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL crossed the border between Mexico and the United States with Jane Doe #4, an individual whose identity is known to the Grand Jury.

c. In or about and between July 2011 and August 2011, both dates being approximate and inclusive, defendant RICARDO ESTRADA-TEPAL attempted to cross the border between Mexico and the United States with Jane Doe #2 and Jane Doe #5, an individual whose identity is known to the Grand Jury.

d. In or about April 2013, defendant RICARDO ESTRADA-TEPAL paid for the smuggling of Jane Doe #3 across the border between Mexico and the United States.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT SIX

(Transportation of Jane Doe #2 to Engage in Prostitution)

7. In or about and between July 2011 and August 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, did knowingly and intentionally transport Jane Doe #2 in interstate and foreign commerce, with intent that Jane Doe #2 engage in prostitution.

(Title 18, United States Code, Sections 2421, 2 and 3551 et seq.)

COUNT SEVEN

(Transportation of Jane Doe #5 to Engage in Prostitution)

8. In or about and between July 2011 and August 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, did knowingly and intentionally transport Jane Doe #5 in interstate and foreign commerce, with intent that Jane Doe #5 engage in prostitution.

(Title 18, United States Code, Sections 2421, 2 and 3551 et seq.)

COUNT EIGHT

(Transportation of Jane Doe #3 to Engage in Prostitution)

9. In or about April 2013, within the Eastern District of New York and elsewhere, the defendant RICARDO ESTRADA-TEPAL, together with others, did knowingly

and intentionally transport Jane Doe #3 in interstate and foreign commerce, with intent that Jane Doe #3 engage in prostitution.

(Title 18, United States Code, Sections 2421, 2 and 3551 et seq.)

COUNT NINE
(Promotion of Prostitution)

10. In or about and between 2007 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, did knowingly and intentionally use one or more facilities in interstate commerce, to wit: one or more cellular telephones and one or more money wire transfer services, with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of unlawful activity, to wit: a business enterprise involving prostitution, in violation of the laws of the State of New York, and did thereafter perform and attempt to perform the promotion, management, establishment, carrying on and facilitation of the promotion, management, establishment and carrying on of such unlawful activity.

(Title 18, United States Code, Section 1952(a)(3)(A), 2 and 3551 et seq.)

COUNT TEN
(Conspiracy to Transport Illegal Aliens)

11. In or about and between 2007 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, knowing and in

reckless disregard of the fact that one or more aliens had come to, entered and remained in the United States in violation of law, did knowingly and intentionally conspire to transport and move such aliens within the United States by means of transportation and otherwise, in furtherance of such violation of law, contrary to Title 8, United States Code, Section 1324(a)(1)(A)(ii).

(Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 3551 et seq.)

COUNT ELEVEN

(Transportation of Illegal Aliens for Financial Gain)

12. In or about and between 2007 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL, and VICTOR LEONEL ESTRADA-TEPAL, also known as “Leonel,” together with others, knowing and in reckless disregard of the fact that one or more aliens had come to, entered and remained in the United States in violation of law, did knowingly and intentionally transport and move, and attempt to transport and move, such aliens within the United States by means of transportation and otherwise, in furtherance of such violation of law, for the purpose of commercial advantage and private financial gain.

(Title 8, United States Code, Sections 1324(a)(1)(A)(ii), 1324(a)(1)(A)(v)(II), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWELVE

(Possession of Forged Permanent Resident Card)

13. In or about January 2014, within the Eastern District of New York and elsewhere, the defendant JORGE ESTRADA-TEPAL, together with others, did knowingly and intentionally possess a document prescribed by statute and regulation for entry into and as evidence of authorized stay and employment in the United States, to wit: a United States Permanent Resident Card, knowing it to have been forged, counterfeited, falsely made and unlawfully obtained.

(Title 18, United States Code, Sections 1546(a), 2 and 3551 et seq.)

CRIMINAL FORFEITURE

ALLEGATION AS TO COUNTS ONE THROUGH FOUR

14. The United States hereby gives notice to the defendants charged in Counts One through Four that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1594(d), of any interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such offenses, and any property, real or personal, constituting or derived from any proceeds obtained directly or indirectly, as a result of such offenses.

15. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 1594(d); Title 21, United States Code, Section 853(p))

**CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS TEN AND ELEVEN**

16. The United States hereby gives notice to the defendants charged in Counts Ten and Eleven that, upon their conviction of either offense, the government, in accordance with Title 18, United States Code, Section 982(a)(6), Title 8, United States Code, Section 1324(b) and Title 28, United States Code, Section 2461(c), will seek forfeiture of: (a) any conveyance, including any vessel, vehicle, or aircraft used in the commission of such offenses; (b) any property real or personal: (i) that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of such offenses, or (ii) that is used to facilitate, and/or is intended to be used to facilitate, the commission of such offenses; (c) the gross proceeds of such offenses; and/or (d) any property traceable to such conveyance or proceeds.

17. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property that cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 8, United States Code, Section 1324(b); Title 18, United States Code, Section 982(a)(6); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



FOREPERSON



LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

FORM DBD-34
JUN. 85

No. 14-CR-105 (S-1) (MKB)

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

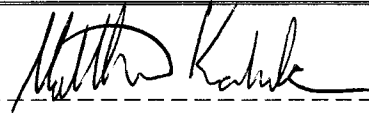
JORGE ESTRADA-TEPAL, RICARDO ESTRADA-TEPAL, VICTOR LEONEL ESTRADA-TEPAL, also known
as "Leonel," and ARACELI NAVARRETE-CASTRO, also known as "Norma,"

Defendants.

SUPERSEDING INDICTMENT

(T. 8, U.S.C., §§ 1324(a)(1)(A)(ii), 1324(a)(1)(A)(v)(I), 1324(a)(1)(A)(v)(II), 1324(a)(1)(B)(i), 1324(a)(1)(B)(ii) and 1324(b); T. 18,
U.S.C., §§ 371, 982(a)(6), 1546(a), 1591(a)(1), 1591(a)(2), 1591(b)(1), 1594(c), 1594(d), 1952(a)(3)(A), 2421, 2 and 3551 et seq.; T. 21,
U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

A true bill.



Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Taryn A. Merkl & Melody Wells, Assistant U.S. Attorneys (718) 254-6064 & (718) 254-6422